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Letter dated 6 November 2000 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

Peacekeeping operations are an essential tool for the Security Council when carrying out its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security. The current discussions on the report of the Panel on United Nations Peace Operations (A/55/305-S/2000/809) and its recommendations testify to the importance the United Nations Member States accord to strengthening that tool.

As you are well aware, the Security Council is often faced with the need to take a decision with regard to the mandate of a particular operation, namely, whether to extend, modify or terminate it. There have been cases in which the Council decided to end a mission or to reduce significantly its military component, only to have those situations remain unstable, or worse, descend again into violence and chaos soon thereafter. This would seem to be in contradiction to the Council's mandate as contained in the Charter of the United Nations, which implies that it should facilitate the establishment of a self-sustaining peace, or at least a durable absence of violence.

In the light of these considerations, it is my honour to inform you that the Netherlands will organize an open debate of the Security Council on decision-making by the Council on mission closure and mission transition. It is our intention that Member States that are not members of the Council should be given the opportunity to make a contribution to the discussion if they so wish.

I am pleased to enclose a paper that elaborates on the theme mentioned above and that can be summed up in the phrase "no exit without strategy" (see annex). I hope you will find it useful in preparing for the debate.

I should be grateful if you would circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Peter **van Walsum**
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Annex to the letter dated 6 November 2000 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

I. Introduction

1. There are a number of cases in which the UN Security Council has withdrawn militarily from a situation, or otherwise drastically changed its involvement, only to have the situation remain instable, or worse, descend again into violence and chaos soon thereafter. Why has this happened? How did the Council determine that it could withdraw from, or reduce its involvement in, a situation which was not ripe for such a decision? Were Council members too much focused on exit strategies instead of pursuing a long-term solution to the conflict at hand?

2. Our aim is to initiate a debate on the way in which the Council decides to end or substantially change its involvement in situations as a first step towards improving the Council's decision-making process - getting it right rather than simply getting out. Consequently, the scope of this study is necessarily very narrow: the decision-making process within the Security Council *vis-à-vis* the creation, significant alteration and termination of operational mandates. An examination of this question should be seen as a natural complement to the reform debate encouraged by the Brahimi report, which touches upon this particular issue only lightly. To that end, the Netherlands has prepared this paper as a basis for discussion.

II. Theory: No Exit Without Strategy

A. Concepts & Definitions

3. Increasingly, the withdrawal or termination phase of a peacekeeping operation has been referred to as the mission's "exit strategy" by governments, the press and others. We believe, however, that this term is misleading because it does not link the end of the mission to the mission's objectives. What is required, rather, is an overall strategy: a long-term plan designed to lead to a self-sustaining peace in the conflict area. "Exit", then, would be based on the successful fulfillment of a mission mandate as signified by the achievement of a lasting peace, which, in turn, renders a continued mission presence unnecessary. This could often be the result of a transition from one type of peace operation to another, reflecting the changing nature and intensity of a conflict (e.g. from peacekeeping to post-conflict peacebuilding).

4. Such an approach would entail more careful consideration of the objectives to be pursued by the proposed mission, including in the long run, and the resources required to achieve them. This should be done in the early planning stages, i.e. before the mission is launched.

5. When such a strategy is not viable, however, an alternative strategy might be to provide a stabilizing presence in the conflict area. In such cases, however, the Security Council will have to acknowledge the long-term commitment involved. Conversely, there have been, and will continue to be cases where the Council should also ponder the opposite question by asking whether a prolonged presence will be beneficial to the peace efforts.

B. How does this relate to Security Council Mandates?

6. The above points strongly suggest that the Security Council must engage in debates and negotiations which are more realistic and frank regarding the true nature of the situation under consideration and what the desired outcome is.

7. If frank debate produces realistic objectives which should lead to a self-sustaining peace, then the Security Council must match sufficient resources with an appropriate mandate to achieve those objectives. This should include a strategy to achieve a self-sustaining peace based on good governance and the rule of law, i.e. on legitimate and broad-based institutions. As the Brahimi Panel writes: "History has taught that peacekeepers and peacebuilders are inseparable partners in complex operations: while the peacebuilders may not be able to function without the peacekeepers' support, the peacekeepers have no exit without the peacebuilders' work." (para 28). Therefore, any long-term plan for a peace operation must include a firm follow-up commitment on the part of the Council to the post-conflict peacebuilding process in the conflict area.

8. Just as important, the Council must remain engaged throughout all phases of the peace operation so that the transition from one phase to the next passes as smoothly as possible and so that the Council is able to enact timely alterations to the mission's mandate if events on the ground so dictate. Moreover, the Council must actively exercise all forms of leverage at its disposal to enhance its range of ways and means to assist the peace operation implement its mandate. This includes recognizing the role played by the economic activities of warring parties as either a root cause of the conflict or as a primary means to continue pursuing the military option. The diamond embargoes in the cases of Angola and Sierra Leone are encouraging steps in this area.

9. Finally, we recognize that the political context or circumstances surrounding many Council debates on possible mission termination involve issues which are highly sensitive, even painful for some Member States. Quite often in such cases, Members may be forced to face uncomfortable questions regarding their commitment, stamina or foresight *vis-à-vis* the situation at hand. For example, do Council Members abandon a situation through a lack of a sense of responsibility, exhaustion, fear of failure, or miserliness? Are Council decisions driven by far more parochial motives than we care to admit rather than our collective obligations as laid out in the Charter? Is there a double standard inherent in Council decisions regarding Africa as opposed to other regions of the world?

III. Case Studies

10. To illustrate the dangers of a myopic focus on the need for an "exit strategy" rather than a proper, honest debate on the objectives of a mission, this section of the non-paper will present three short case studies which track the situation of a country after the departure of a UN peacekeeping operation. The mission's mandate and the circumstances of its withdrawal could be compared with the country's history after that fact. By asking a series of simple questions to this end, (such as: What prompted Council action?; What was the core objective of the operation's mandate?; Was it

resourced accordingly?; What was the situation on the ground when the Council decided to qualitatively change/end the UN's involvement?; Was a self-sustaining peace achieved, for at least two years, when it was the stated goal?), we expect to make the case that the emphasis must be placed on the "strategy".

Case One: Mozambique

- In March 1992, a comprehensive agreement was signed between the rebel group RENAMO and the Government. Two and a half months later, then-Secretary-General Boutros Boutros-Ghali offered the services of the United Nations to help oversee the implementation of the agreements;

- Based on a report by the Secretary-General (S/24892, 3 December 1992, and S/24892/Add.1, 9 December 1992), the Security Council passed Resolution 797 (16 December 1992) which established ONUMOZ with a four-fold mandate;

- Four elements of mandate were: a) a political element to implement agreement through chairing the Supervisory and Monitoring Commission; b) a military component to monitor the cease-fire, the withdrawal of foreign forces, separation of forces, collection and destruction of weapons and the disbanding of irregular armed groups, etc; c) an electoral element to provide technical assistance and monitor the entire electoral process; and d) a humanitarian component to coordinate and monitor all humanitarian assistance operations;

- The necessary resources were supplied by Member States and the Security Council reacted to a snag in the negotiations by extending the operation's mandate to accommodate a new timetable for elections in its Resolution 863 of 13 September 1993;

- The mission was withdrawn after the conduct of free and fair elections in which Joaquim Chissano was elected President;

- RENAMO did not resort to armed conflict in the aftermath of the electoral defeat, and Mozambique has remained quiet and stable since the 1994 vote.

11. Mission success in this case may be attributed to many factors. For example, the peace process enjoyed deep and patient support from various elements of civil society. It also benefitted from the parties' own war fatigue. Mission success may thus have been linked to timing: The UN did not move in too early, i.e. when there was no peace to keep. In addition, there was generous resource and financial support on the part of the international community. The United Nations was not involved in the actual negotiations which led to the agreement; it was asked only to monitor and assist in its implementation. (However, in other cases negotiations without the UN may lead to agreements that ask too much of the UN, which could have been avoided if the UN had been involved.) The Security Council acted on the Secretary-General's reports and recommendations in a timely fashion. And, besides the minor problems encountered in 1993 during some late-stage

negotiations, the Security Council was not faced with any significant crises or challenges during the entire period of the UN's involvement. Some serious problems arose during the process but, in general, were able to be managed at the field level. The cease-fire held, by and large, and the parties honoured their commitments.

Case Two: Liberia

- After many years of civil war and a regional peacekeeping presence, the Security Council authorized an observer mission (30 military observers) to be dispatched to Liberia as UNOMIL, (SCR 856, 10 August 1993), to assist in the implementation of the Cotonou Accords. The other main external actor was ECOWAS, which maintained a force of up to 11,500 troops during its deployment;

- UNOMIL maintained its presence, with variations in personnel levels, through the failure of the Cotonou Accords and the subsequent Abuja I Accords in mid-1996;

- Despite these repeated set-backs, the Security Council continued to extend UNOMIL's mandate, but left it in a passive posture while calling for a long-standing arms embargo to be enforced;

- UNOMIL was withdrawn in the Autumn of 1997 after assisting in monitoring the elections called for in the Abuja II Accords.

12. While the vote was endorsed as free and fair, and Liberia became a much more peaceful country, relatively speaking, in the aftermath of the elections, the UN's involvement in Liberia cannot be judged a complete success. The security environment was less than stable throughout the period of UNOMIL's deployment despite the presence of an ECOMOG force which suffered at times from severe resource constraints and which was sometimes viewed as a party to the conflict. Many observers speculate that, due to the tenuous security situation, the majority of Liberian voters elected Charles Taylor out of fear that a loss at the polls would prompt him to take up arms again. Moreover, with Taylor in power, Liberia soon became a factor in the civil war in neigbouring Sierra Leone. Thus, while UNOMIL monitored elections that brought an immediate improvement in the overall security situation, the Council did not address the issue that sustainable institutions in Liberia had not necessarily been fostered, nor did it address the question of Liberia's regional role.

Case Three: Haiti

- The Security Council first took up the question of Haiti with Resolution 841, of 16 June 1993, which encouraged OAS efforts to restore the elected government to power and authorized the OAS-recommended fuel and arms embargo on Haiti;

- The situation continued to worsen throughout 1993, so the Council responded by creating

UNMIH (SCR 867, 23 September 1993), which envisaged, *inter alia*, civilian police monitors, a military construction unit, and military trainers, intended to professionalize the Haitian military and police and to diminish their capacity to disrupt the peace process. UNMIH, however, did not deploy until September 1994 due to the lack of progress on the political track and the security situation in Haiti;

- The Council authorized an American-led MNF (SCR 940, 31 July 1994) to remove the military junta from power. This led to the MNF's uncontested deployment to Haiti in September 1994 and the UNMIH advance team became operational on 18 October. MNF handed over to UNMIH on 31 March 1995; the latter's primary objective was to maintain a stable and secure environment, re-train national police and army units and assist the civilian mission (MICIVIH) to organize elections;

- After repeated renewals of UNMIH's mandate, following the Presidential election in 1996, the Council created UNSMIH (SCR 1063, 28 June 1996) as a replacement mission with a more narrow objective of training local police and supporting the work of the SRSG. Staff levels were reduced dramatically and much of the funding for many of the operation's activities was voluntary in nature. This trend of making the funding less reliable continued with the follow-on mission, UNTMIH (SCR 1123, 30 July 1997) where only 50 HQ staff were UN-funded;

- Security Council's involvement in Haiti ended when the UN Civilian Police Mission in Haiti (MIPONUH) handed-over to the General Assembly-mandated support force, MICAH, in early 2000.

13. Although the Council did respond to the chaotic situation in the aftermath of the MNF operation by increasing staff levels of UNMIH, this level of commitment was not lasting. In light of the never-ending political stalemate in Haiti and the persistent related violence, one is likely to view the UN's efforts in that country as a disappointment. While the initial objective of restoring the legitimate political authorities was met, this was brought about by the threat of a large MNF invasion. Contrary to this show of well-resourced force, subsequent UN missions to Haiti were not supported by reliable funding arrangements and were saddled with impractically short mandates. The fact that these had to be renegotiated every few months made it difficult to plan or operate on anything other than a hand-to-mouth basis. This signal to the parties hampered UNMIH's ability to gain the initiative or to maintain momentum. These weaknesses in the UN's approach to Haiti resulted from positions taken by key members of the Security Council. Moreover, the Haiti case was transferred to the General Assembly's agenda because some Council Members took the view that the situation in Haiti had become more a matter of development/domestic politics than a question of international peace and security, therefore warranting removal from the Council's agenda. This view of the situation has not helped advance the political dialogue in Haiti, because it has meant further reductions in the UN's presence and influence in Haiti while the instability persists. Finally, some key Council Members pursued objectives in their own perceived national interests at the expense of making firmer commitments to resolve the Haitian conflict.